03/28/05

AP A MW Docket No. AMENDMENT TRANSMITTAL LETTER 50538-00002USPT Filing Date Application No. Examiner Art(Unit 09/678040 October 3, 2000 Lalita Hamilton 3624 Applicant(s): Jeffrey Marsden et al. PEER BASED DOCTRINE PERFORMANCE FRAMEWORK TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Claims Highest Remaining Number Number Previously Extra Claims After Amendment Paid Present Rate **Total Claims** 26 25 1 25.00 х Independent 3 3 0 Х Claims Multiple Dependent Claims (check if applicable) Other fee (please specify): TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 25.00 x Small Entity Large Entity No additional fee is required for this amendment. Please charge Deposit Account No. in the amount of \$ A duplicate copy of this sheet is enclosed. A check in the amount of \$ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director is hereby authorized to charge and credit Deposit Account No. 10-0447 as described below. A duplicate copy of this sheet is enclosed. (D.Nguyen-3986) 50538-2USPT x Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. Dated: March 25, 2005 Daniel G. Nguyen Attorney Reg. No.: 42,933 JENKENS & GILCHRIST, A PROFESSIONAL CORPORATION 5 Houston Center 1401 McKinney, Suite 2600 Houston, Texas 77010 (713) 951-3354



Docket No.: 50538-00002USPT

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Jeffrey Marsden et al.

Application No.: 09/678040

Confirmation No.: 5664

Filed: October 3, 2000

Art Unit: 3624

For: PEER BASED DOCTRINE PERFORMANCE

FRAMEWORK

Examiner: Lalita Hamilton

AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Final Office Action dated January 25, 2005, please amend the above-identified U.S. patent application as indicated below. This response is being timely filed within the two-month period for provoking an Advisory Action.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

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